

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Keiton Smith,

Plaintiff

Case No. 2:22-cv-00872-CDS-EJY

Order Dismissing Defendants

V.

6 | NDOC, et al.,

Defendants

9 The amended complaint in this action was filed on August 4, 2022. ECF No. 8. On April
10 5, 2024, the court issued a notice of intent to dismiss under Federal Rule of Civil Procedure 4(m)
11 explaining that unless plaintiff Keiton Smith filed proof of service as to Dr. Cheryl and Dennis
12 McKee by May 5, 2024, the court would enter an order of dismissal for those defendants. ECF
13 No. 110. However, the copy of the notice that was sent to Smith was returned as undeliverable.
14 ECF No. 111. Based on the returned notice, the court sua sponte extended the deadline for Smith
15 to file proof of service as to Dr. Cheryl and Dennis McKee to June 5, 2024. ECF No. 112. Smith
16 was cautioned that failure to comply would result in their dismissal without further notice. *Id.*
17 The deadline has now passed, and no proof of service has been filed.

IT IS THEREFORE ORDERED that defendants Dr. Cheryl and Dennis McKee are dismissed from this action without prejudice. 

Dated: June 11, 2024

~~Cristina D. Silva
United States District Judge~~